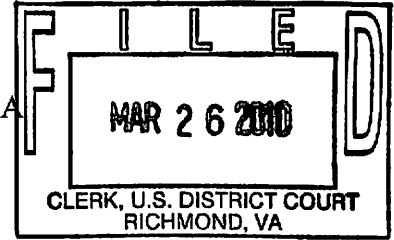


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



KRISTI DUDLEY,

Plaintiff,

v.

Civil Action No. 3:10cv203

BONDED CREDIT BUREAU, INC.,
t/a DRS BONDED COLLECTION
SYSTEMS, INC.,

Serve: CT Corporation System
4701 Cox Rd., Ste. 301
Glen Allen, Virginia 23060

Defendant.

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. § 1337. Venue in this District is proper in that the defendant transacted business in this state, it has its registered agent's office in Henrico County, Virginia, and the plaintiff chooses to bring this lawsuit here.

III. PARTIES

3. Plaintiff, Kristi Dudley, is a natural person residing in Richmond, Virginia.

4. Defendant, BONDED CREDIT BUREAU, INC., t/a DRS BONDED COLLECTION SYSTEMS, INC., ("DRS BONDED"), is a corporation engaged in the business of collecting debts in this state with its principal place of business located in

Kentucky. The principal purpose of DRS BONDED is the collection of debts using the mails and telephone and DRS BONDED regularly attempts to collect debts alleged to be due another.

5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

IV. FACTUAL ALLEGATIONS

6. In the year 2004 the plaintiff, at that time who used her maiden name of Kristi Cousins, had a credit card with Credit One Bank and due to financial hardship, she stopped making payments. In that year Credit One took money from her account in the amount of about \$300 which was the last payment she made on this open account.

7. This debt was charged off by Credit One Bank and sold to LVNV Funding, LLC, which hired DRS BONDED to collect the debt.

8. On or about January 12 or 13, 2010 the calls from DRS BONDED began. The first call was a message from a lady believed to be a Ms. Carter; however, when plaintiff called her back, her call was given to a male collector, who demanded over \$800 in payment. During the call when she advised she was unable to pay at that time, this collector yelled at her to listen to him, that the little money she stated she might be able to send in was “do anything,” and it was simply a matter of mathematics. He degraded her, used abusive language, told her to go out and get a loan, and when she advised that she was unable to do that, he said that his company would file a lawsuit against her, even though the time for filing suit was barred by the statute of limitations.

9. After getting off the phone with this collector Ms. Dudley was in tears.

10. During the first call to the plaintiff she was not provided the validation notices required by §1681g of the FDCPA, nor was she ever sent these required notices at any time thereafter.

11. Defendant's conduct violated the FDCPA in multiple ways, including but not limited to:

- a) Engaging in conduct of which the natural consequence is to harass, oppress, or abuse, and causing the Plaintiff's telephone to ring with intent to annoy, abuse, or harass (§1692d(2)(5));
- b) Failing to provide the all the validation notices at the time of initial contact and/or in writing within five days thereafter required by the FDCPA. (§1692g(a));
- c) Yelling and being otherwise verbally abusive in connection with the collection of this alleged debt (§1692(d));
- d) Using false, deceptive, or misleading representations in connection with the collection of this debt, (§1692e(10));
- e) Making false and misleading representations regarding the character and status of the debt (§1692(e)(2));
- f) Threatening to take legal action that cannot be taken (§1692(e)(5));
- g) The collection of the alleged debt via threat of a lawsuit when collection of any amount was not permitted by law since it was time barred. (§1692f(1)).

12. As a result of the acts alleged above, plaintiff suffered actual damages, including physical ailments, embarrassment, and emotional distress.

V. FIRST CLAIM FOR RELIEF

13. Plaintiff repeats and realleges and incorporates by reference the preceding paragraphs

14. Defendant violated the FDCPA as noted above.

15. As a result of the above violations of the FDCPA, the defendant is liable to the plaintiff for plaintiff's actual damages, statutory damages, costs, and attorney fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the defendant for the following:

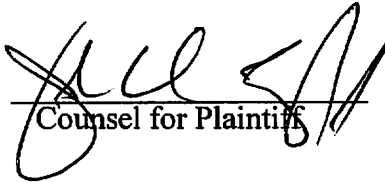
- A. Actual damages.
- B. Statutory damages pursuant to 15 U.S.C. § 1692k.
- C. Costs and reasonable attorney fees pursuant to 15 U.S.C. § 1692k.
- D. For such other and further relief as may be just and proper.

DEMAND FOR JURY TRIAL

Respectfully submitted,

KRISTI DUDLEY

By



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